

Tom Dutton, Esquire
PITTMAN, DUTTON, KIRBY & HELLUMS, P.C.
2001 Park Place North, Suite 1100
Birmingham, AL 35203
Telephone: (205) 322-8880
Facsimile: (205) 328-2711

Attorney for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE: BEXTRA AND CELEBREX
MARKETING SALES PRACTICES AND
PRODUCT LIABILITY LITIGATION

Docket No.: 3:06-CV-03656

MDL NO. 1699

District Judge: Charles R. Breyer

Embry Wayne Hester, as Administrator of the
Estate of Martha Carolyn Hester, deceased

**STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE**

Plaintiff,

vs.

Pfizer, Inc., et al.

Defendants.

Come now the Plaintiff, EMBRY WAYNE HESTER, as Administrator of the Estate of Martha Carolyn Hester, Deceased, and Defendants, by and through the undersigned attorneys, pursuant to Federal Rule of Civil Procedure, Rule 41(a), and hereby stipulate to the dismissal of this action with prejudice with each side bearing its own attorneys' fees and costs.

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2 DATED: 5/7, 2009

By: 

Tom Dutton
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Birmingham, AL 35203
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Facsimile: (205) 328-2711

Attorney for Plaintiff

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8 DATED: Sept. 28, 2009

By: 

DLA PIPER LLP (US)
1251 Avenue of the Americas
New York, NY 10020
Telephone: (212) 335-4500
Facsimile: (212) 335-4501
Defendants' Liaison Counsel

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16 **PURSUANT TO THE TERMS SET FORTH IN THE PARTIES' STIPULATION,
IT IS SO ORDERED.**

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18 Dated: 9/30/09

19 Hon. Charles R. Breyer
United States District Court

